

IOWA FINANCE AUTHORITY[265]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code sections 17A.3(1)“b” and 16.5(1)“r,” the Iowa Finance Authority hereby amends Chapter 41, “Shelter Assistance Fund,” Iowa Administrative Code.

The purpose of these amendments is to update the rules to comply with federal guidance relating to the administration of the Shelter Assistance Fund to provide financial assistance for the rehabilitation, expansion, or costs of operations of group home shelters for the homeless and domestic violence shelters.

The Authority does not intend to grant waivers under the provisions of any of these rules, other than as may be allowed under the Authority’s general rules concerning waivers.

Pursuant to Iowa Code section 17A.4(3), the Authority finds that notice and public participation are impracticable and contrary to the public interest in that assistance to homeless shelters is needed immediately, and the normal notice and public participation process would delay implementation of certain assistance and important clarification of rules.

The Authority is also concurrently publishing these amendments under Notice of Intended Action as **ARC 9643B** to allow for public comment.

The Authority finds that these amendments confer a benefit on homeless persons, in that the amendments provide assistance and ease and speed the administration of an important program benefiting shelters that benefit those persons. These amendments should be implemented as soon as feasible in order to avoid a disruption in the provision of assistance under the program. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

The Authority adopted these amendments on July 6, 2011.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 16.5(1)“m.”

These amendments became effective on July 8, 2011.

The following amendments are adopted.

ITEM 1. Amend rule 265—41.6(16) as follows:

265—41.6(16) Application procedures. IFA will issue requests for proposals from eligible applicants as often as the state expects funding from HUD for the ESG program. Requests for proposals will combine the ESG program with the SAF program. The proposals must be submitted on the forms or on-line system prescribed by IFA and must, at a minimum, include the amount of funds requested, a description of the need for the funds, documentation of other available funding sources, the source of required local match for the ESG program, and the estimated number of persons to be served by the applicant. Maximum and minimum grant awards will be established by IFA for each competition.

ITEM 2. Amend subrule 41.10(5) as follows:

41.10(5) Data reporting system. ~~Subrecipients~~ Recipients and subrecipients shall participate in the HUD-approved Homeless Management Information System (HMIS) adopted by IFA as required in the executed contract, unless the recipient or subrecipient qualifies as a domestic violence shelter, in which case the recipient or subrecipient shall participate in required data collection and reporting activities using a comparable database as defined by HUD (HUD HMIS Data Standards, Revised Notice March 2011).

ITEM 3. Amend paragraph **41.12(3)“a”** as follows:

a. HMIS data reports. All recipients and subrecipients of SAF program funds are required to submit regular reports on clients served using the current HMIS reporting process as prescribed by IFA; ~~provided, however, that unless a recipient or subrecipient that qualifies as a domestic violence shelter shall not be required to report personally identifiable information about its homeless domestic violence clients. “Personally identifiable information” shall include any information that the reporting domestic~~

violence shelter reasonably determines could be used to identify a particular client, in which case the recipient or subrecipient must submit reports using a comparable database. A comparable database must collect client-level data over time and generate unduplicated aggregate reports based on that data.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/27/11.